

# WISCONSIN DEPARTMENT OF REGULATION & LICENSING



## **Wisconsin Department of Regulation & Licensing Access to the Public Records of the Reports of Decisions**

This Reports of Decisions document was retrieved from the Wisconsin Department of Regulation & Licensing website. These records are open to public view under Wisconsin's Open Records law, sections 19.31-19.39 Wisconsin Statutes.

### **Please read this agreement prior to viewing the Decision:**

- The Reports of Decisions is designed to contain copies of all orders issued by credentialing authorities within the Department of Regulation and Licensing from November, 1998 to the present. In addition, many but not all orders for the time period between 1977 and November, 1998 are posted. Not all orders issued by a credentialing authority constitute a formal disciplinary action.
- Reports of Decisions contains information as it exists at a specific point in time in the Department of Regulation and Licensing data base. Because this data base changes constantly, the Department is not responsible for subsequent entries that update, correct or delete data. The Department is not responsible for notifying prior requesters of updates, modifications, corrections or deletions. All users have the responsibility to determine whether information obtained from this site is still accurate, current and complete.
- There may be discrepancies between the online copies and the original document. Original documents should be consulted as the definitive representation of the order's content. Copies of original orders may be obtained by mailing requests to the Department of Regulation and Licensing, PO Box 8935, Madison, WI 53708-8935. The Department charges copying fees. *All requests must cite the case number, the date of the order, and respondent's name as it appears on the order.*
- Reported decisions may have an appeal pending, and discipline may be stayed during the appeal. Information about the current status of a credential issued by the Department of Regulation and Licensing is shown on the Department's Web Site under "License Lookup." The status of an appeal may be found on court access websites at: <http://ccap.courts.state.wi.us/InternetCourtAccess> and <http://www.courts.state.wi.us/wscca>.
- Records not open to public inspection by statute are not contained on this website.

**By viewing this document, you have read the above and agree to the use of the Reports of Decisions subject to the above terms, and that you understand the limitations of this on-line database.**

**Correcting information on the DRL website:** An individual who believes that information on the website is inaccurate may contact the webmaster at [web@drl.state.wi.gov](mailto:web@drl.state.wi.gov)

STATE OF WISCONSIN  
BEFORE THE SOCIAL WORKER SECTION  
EXAMINING BOARD OF SOCIAL WORKERS,  
MARRIAGE AND FAMILY THERAPISTS AND PROFESSIONAL COUNSELORS

-----  
-----  
IN THE MATTER OF THE DISCIPLINARY  
PROCEEDINGS AGAINST

SHIRLEY A. LIMBERG, CICSW,  
  
RESPONDENT.

Case No. 0002092SOC

-----  
-----  
FINAL DECISION AND ORDER  
-----  
-----

The parties to this action for the purposes of §227.53, Stats. are:

*Shirley A. Limberg, CICSW  
1315 Arrowhead Dr.  
Woodruff, WI 54548*

*Social Worker Section  
Examining Board of Social Workers,  
Marriage and Family Therapists and Professional Counselors  
P.O. Box 8935  
Madison, WI 53708-8935*

*Department of Regulation and Licensing  
Division of Enforcement  
P.O. Box 8935  
Madison, WI 53708-8935*

The parties in this matter agree to the terms and conditions of the attached Stipulation as the final decision of this matter, subject to the approval of the Social Worker Section. The Section has reviewed this Stipulation and considers it acceptable.

Accordingly, the Section in this matter adopts the attached Stipulation and makes the following:

FINDINGS OF FACT

1. Shirley A. Limberg, Respondent, date of birth October 2, 1945, is certified by the Social Worker Section as an independent clinical social worker in the state of Wisconsin pursuant to certificate number 2773, which was first granted July 2, 1994.
2. Respondent's last address reported to the Department of Regulation and Licensing is 1315 Arrowhead Dr., Woodruff, WI 54548.
3. During the events of this matter, Respondent practiced as an independent clinical social worker at the office of Elmergreen Associates Counseling Service located in Minocqua, Wisconsin.

4. Mr. A and Ms. B had four children together. Mr. A and Ms. B, who were then residents of Montana, divorced in 1989 and were awarded joint custody of the children. Physical placement of the children was initially with Ms. B and Mr. A had visitation rights, which he exercised. The two oldest children reached majority prior to 1994.

5. For approximately one and one half years prior to Christmas, 1995, Child 1 (DOB: 5/04/85) resided with his father, Mr. A, and his step-mother in Minnesota. Child 1 then resided with Ms. B and his sister, Child 2 (DOB: 2/18/83 ), in the Woodruff Wisconsin area. Mr. A and his current wife continued to reside in Minnesota.

6. At the request of Ms. B, Respondent began providing therapy to Child 1 on 2/24/96 and Child 2 on 10/28/96.

7. Child 1 had sessions with Respondent on March 6, 9, 23, and 30, 1996.

8. Child 1 visited Mr. A for Easter in early April of 1996.

9. Child 1 then had sessions with Respondent on April 13, May 4 and 18, 1996. During the May 18, 1996 session, Child 1 told Respondent that he did not want to spend the entire summer at Mr. A's, as had been planned. He also said that when he is at Mr. A's house, his stepmother beats him severely. Respondent's assessment note of that day says: "Danger. exaggeration of beating but believable that he and [stepmother] tangle."

10. At the next session on May 28, 1996, Child 1 told Respondent that he wanted to be at Mr. A's for the Fourth of July, but not the whole summer. Child 1 also said "Dad hit me." Child 1 refused to provide any further explanation or details to Respondent.

11. Child 1 had a session with Respondent on June 8, 1996 during which Child 1 said he wanted to spend one week with Mr. A that summer. Ms. B, who was also at the session, said that she would help Child 1 stay with her that summer.

12. The note for the June 29, 1996 session indicates that Child 1 would be going to Mr. A's for only one week that summer.

13. On July 3, 1996, Respondent sent a letter to Ms. B's attorney, which stated that the letter is Respondent's recommendation for Child 1's summer 1998 visitation with Mr. A, and that she recommends that Child 1 have a one week visit in July and another week in August. Respondent provided three reasons for the recommendation, one of which was:

"[Child 1] has reported to the therapist, that physical abuse has taken place in his father's home. [Child 1]'s step-mother has hurt him leaving an open gash on his back for a couple of weeks. [Child 1] also reports that Dad is physically abusive to family members, not him, but yells 'all the time' to most everyone."

14. § 48.981(2) and (3), Stats, requires any social worker, "having reasonable cause to suspect that a child seen in the course of professional duties has been abused or neglected", to immediately report the facts and circumstances contributing to the suspicion, by telephone or personally, to the county department of human services or the appropriate law enforcement agency.

15. Although Respondent's July 3, 1996 letter to Ms. B's attorney states unequivocally that the step-mother had physically abused Child 1, Respondent did not report suspected abuse to the Oneida County Department of Social Services until October 29, 1996.

16. Respondent contends to the Division of Enforcement that she was not certain of the abuse when she wrote the letter to Ms. B's attorney on July 3, 1996, and reported to Oneida County Department of Social Services after receiving additional allegations. However, § 48.981, Stats., only requires a reasonable suspicion, not certainty, before a report is mandated.

17. If Respondent had a suspicion of abuse which was strong enough to justify using it as a basis for changing visitation on July 3, 1996, then there was reasonable cause to suspect abuse and it should have been reported to the appropriate authorities at that time.

18. If Respondent did not have a reasonable suspicion of abuse on July 3, 1996, her letter of that date should have reflected the uncertainty of the abuse.

#### CONCLUSIONS OF LAW

1. The Social Worker Section of the Wisconsin Examining Board of Social Workers, Marriage and Family Therapists and Professional Counselors has jurisdiction over this matter pursuant to §457.26(2), Stats.

2. The Social Worker Section of the Wisconsin Examining Board of Social Workers, Marriage and Family Therapists and Professional Counselors has authority to enter into this stipulated resolution of this matter pursuant to §227.44(5), Stats.

3. Respondent, by failing to immediately report a reasonable suspicion of child abuse, as required under § 48.981(2) and (3), Stats., has committed unprofessional conduct as defined by § SFC 20.02(2), Wis. Adm. Code, and is subject to discipline pursuant to § 457.26(2)(f), Stats.

ORDER

NOW, THEREFORE, IT IS HEREBY ORDERED;

1. That Shirley A. Limberg is hereby REPRIMANDED.
2. Within 6 months of the date of this order, Respondent shall take and complete 6 hours of continuing education on the subject of social workers' legal and ethical obligations, which course or courses shall first be approved by the Section, or its designee. These credits shall be in addition to the continuing education required for renewal of certification for the following biennium, by Wis. Adm. Code § SFC 8.02.
3. If Respondent is unable to complete the continuing education described in the preceding paragraph within 6 months of the date of this order, Respondent shall, within that period of time, petition the Section, or its designee, for a reasonable extension of time within which to take and complete such continuing education. An extension shall be granted only in the event of an illness or other circumstance, which is found to be acceptable by the Section or its designee.
4. Respondent shall provide proof sufficient to the Section of Respondent's satisfactory completion of the continuing education within 30 days of completion.
5. Any request for: approval of continuing education, an extension of the time within which to complete the continuing education and evidence of completion of the education required by this order shall be mailed, faxed or delivered to:

Department Monitor

Department of Regulation And Licensing

Division of Enforcement

1400 East Washington Ave.

P.O. Box 8935

Madison, WI 53708-8935

Fax (608) 266-2264

6. Respondent shall bear all costs incurred as a result of satisfying this order.

The rights of a party aggrieved by this Decision to petition the Section for rehearing and to petition for judicial review are set forth on the attached "Notice of Appeal Information".

Dated at Madison, Wisconsin this 9th day of February, 2000.

---

Cornelia Gordon-Hempe

Chairperson

Social Worker Section